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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: ..

Gabi Ben-Ami

Serial No.: 10/617,036

Filed: July 11, 2003

For: Unstable Bottle

Examiner: Stephen J Castellano

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

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Group Art Unit: 3727

Attorney
Docket: 3015/2

DECLARATION UNDER 37 CFR 1.132

My name is Gideon Feiner. My residence is, 55 Lamerchav st Ramat-Hasharon
Israel. I am an Israeli citizen.

I am CEO of Polymer Logistics.

I have more than 20 years working experience in the plastic industry, among
other jobs I was Marketing Director of General Electric Plastics Europe as well as
working with Equipment processors like Arburg and Sandretto.

In all, I have been involved with the field of production and marketing of
plastic products for more than 20 years from almost every angle.

I have reviewed U.S. Patent No. 4,741,936 to Nohara et al. (hereafter
"Nohara"). The patent relates to the bottle manufacturing technology of draw-blow
molding and addresses the specific issue of creating a multi-layer laminated bottle by
this technique.

This manufacturing technique, as widely practiced during the 1980s and 1990s
generally formed bottles with round (i.e., roughly hemispherical) bases. In order to

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render the bottle usable, a cup-shaped stabilizing base, known in the industry as "BASE CUP" often of black plastic, was glued on to the round bottle, thereby rendering the bottle stable.

Although Nohara does not refer to the addition of a stabilizing base to render the bottle stable, it is self evident to one ordinarily skilled in the art that the bottle described by Nohara was to be used with such a base, as was already well established in the art at the time. One ordinarily skilled in the art would definitely not find any indication in Nohara that any round-bottomed bottle should be filled and sealed without addition of a stabilizing base.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.


Gideon Feiner

Date: January 31, 2006

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